

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD FEBRUARY 2, 2006 AT 11:00 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Raymond E. Graham, Chairman; Mr. Harry F. Atherton, Vice-Chairman;
Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling;
Mr. Paul S. McCulla, County Administrator; Mr. Kevin Burke, County
Attorney

A B S E N T None

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

**A WORK SESSION TO DISCUSS A PROPOSED BOUNDARY LINE ADJUSTMENT
OF THE ARRINGTON PROPERTY INTO THE TOWN OF WARRENTON**

John Foote, Esquire, updated the Board of Supervisors on discussions between Mr. Atherton, the Town of Warrenton, and Centex Development Corporation, on the possibility of adjusting a portion of the property owned by Arabelle Arrington into the corporate boundary of the Town of Warrenton.

A WORK SESSION TO REVIEW LANDFILL TIPPING FEES: TOWNS

Anthony I. Hooper, Deputy County Administrator, reviewed the possibility of reinstating landfill tipping fees paid by the Towns for Municipal Solid Waste.

**A WORK SESSION TO REVIEW A PROPOSED ZONING ORDINANCE TEXT
AMENDMENT TO SECTION 2-310.5 TO PROHIBIT FUTURE BOUNDARY LINE
ADJUSTMENTS TO LOTS CREATED THROUGH CERTAIN FAMILY OR
ADMINISTRATIVE DIVISIONS**

By unanimous consent, this work session was removed from the agenda.

The meeting was reconvened in Regular Session at 6:30 P.M.

ADOPTION OF THE AGENDA

Mr. Atherton moved to adopt the agenda, as presented. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G.
Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

CITIZENS' TIME

- John Griffin, Cedar Run District, urged the Board to move forward with funding the construction of a third high school and additional elementary schools.
- Nancy Minter, Center District, expressed concern about the quality of schools at all grade levels, and asked the Board to approve the School Board's funding requests for construction of new school facilities.
- Jessica DaSilva, Marshall District, stated she believes the Board has failed give top priority to funding for new school facilities.
- Susan Parry, Marshall District, spoke in support of the School Board's request for funding additional elementary schools.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Graham presented A Proclamation to Recognize the Board of Assessors for Their Outstanding Contributions to the Citizens of Fauquier County.

CONSENT AGENDA

Mr. Atherton moved to adopt the following consent agenda items. Mr. Robison seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

Approval of the Minutes for the January 12, 2006 Regular Meeting and January 24, 2006 Adjourned Meeting of the Fauquier County Board of Supervisors

A Resolution to Designate a Section of Route 628 (Cannonball Gate Road) a Rural Rustic Road

RESOLUTION

A RESOLUTION TO DESIGNATE A SECTION OF ROUTE 628 (CANNONBALL GATE ROAD) A RURAL RUSTIC ROAD

WHEREAS, during the 2003 session of the General Assembly, legislation was passed to revise §33.1-70.1 of the Code of Virginia, to allow for the improvement and hard surfacing of certain unpaved roads deemed to qualify for and be designed Rural Rustic Roads; and

WHEREAS, such roads must be located in a low-density development area and have a minimum of 50 vehicles per day (vpd) and no more than 500 vpd; and

WHEREAS, the Fauquier County Board of Supervisors is unaware of pending development that will significantly affect the existing traffic on the road; and

WHEREAS, the citizens that utilize this road have been aware of this road being paved with minimal improvements; and

WHEREAS, the Board believes Route 628 (Cannonball Gate Road) should be designated a Rural Rustic Road, from the intersection of Route 691 (Wilson Road) to the intersection of Route 690 (Bear Wallow Road) owing it to its qualifying characteristics; and

WHEREAS, Route 628 is in the Board's Six-Year Plan for improvements to its secondary system of State Highways; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 2006, That the Board does hereby designate and request the Virginia Department of Transportation's Residency Administrator to concur that the aforesaid road is a Rural Rustic Road; and, be it

RESOLVED FURTHER, That the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and, be it

RESOLVED FINALLY, That a certified copy of this resolution shall be forwarded to the Residency Administrator for the Virginia Department of Transportation.

A Resolution to Delegate to the Transportation Committee the Authority to Request that the Virginia Department of Transportation Install Warning Signs

RESOLUTION

A RESOLUTION TO DELEGATE TO THE TRANSPORTATION COMMITTEE THE
AUTHORITY TO REQUEST THAT THE VIRGINIA DEPARTMENT OF
TRANSPORTATION INSTALL WARNING SIGNS

WHEREAS, the Fauquier County Board of Supervisors has established the Transportation Advisory Committee to make recommendations on transportation safety issues and road improvement priorities; and

WHEREAS, the Transportation Committee receives numerous requests for the installation of signs to alert motorists of activities or hazards in a particular area, including "Watch for Children", animal crossings, and agricultural warning signs; and

WHEREAS, the Virginia Department of Transportation (VDOT) requires that the local governing body forward a resolution requesting each warning sign desired for installation; and

WHEREAS, two Board of Supervisors members are voting members of the Transportation Committee; and

WHEREAS, on November 30, 2005, the Fauquier County Transportation Committee recommended that the Board of Supervisors designate the Transportation Committee to act for the local governing body for installation of warning signs as the Committee deems appropriate; and

WHEREAS, the Board of Supervisors recognizes VDOT reserves the right to review and approve all signing requests to determine the exact location and number of signs; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 2006, That the Board of Supervisors does hereby designate the County's Transportation Committee to request the installation and maintenance by VDOT of warning sign; and, be it

RESOLVED FINALLY, That this delegation of authority shall expire on January 1, 2009.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Planning Commission – Center District: Larry Kavolik (effective March 1, 2006) for a four-year term, to expire March 1, 2010.

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 2-310.5 TO PROHIBIT FUTURE BOUNDARY LINE ADJUSTMENTS TO LOTS CREATED THROUGH CERTAIN FAMILY OR ADMINISTRATIVE DIVISIONS

Mr. Atherton moved to deny a proposed a Zoning Ordinance text amendment to Section 2-310.5 to prohibit future boundary line adjustments to lots created through certain family or administrative divisions. Mr. Downey seconded and, following discussion, the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

A RESOLUTION TO APPROVE THE CURRY FAMILY REQUEST TO REDUCE THE TEN-YEAR SALE RESTRICTION FOR A FAMILY TRANSFER LOT

Mr. Graham moved to adopt the following resolution. Mr. Stribling seconded and, following discussion, the vote for the motion was unanimous, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE THE CURRY FAMILY REQUEST TO REDUCE THE TEN-YEAR SALE RESTRICTION FOR A FAMILY TRANSFER LOT

WHEREAS, on February 13, 2001, the applicants Donnie F. and D. Darlene Curry were the recipients of a family transfer parcel; and

WHEREAS, Section 2-39.3(A)(3) of the Subdivision Ordinance does not permit such a lot to be voluntarily transferred to a non-immediate family member for at least ten (10) years; and

WHEREAS, the applicants need to relocate due to medical problems with another family member; and

WHEREAS, Section 2-39(14) of the Subdivision Ordinance allows the Board of Supervisors to reduce the ten (10) year restriction on selling a family transfer parcel to a non-immediate family member if it finds an extraordinary hardship is caused by the ten (10) year restriction; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 2006, That the requirement that Donnie F. Curry and D. Darlene Curry hold their family transfer parcel for a period of ten (10) years be, and is hereby, reduced so that the parcel may be transferred to a non-immediate family member.

A RESOLUTION TO APPROVE THE OWENS FAMILY REQUEST TO REDUCE THE TEN-YEAR SALE RESTRICTION FOR A FAMILY TRANSFER LOT

Mr. Downey moved to adopt the following resolution. Mr. Atherton seconded and, following discussion, the vote for the motion was unanimous, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE THE OWENS FAMILY REQUEST TO REDUCE THE TEN-YEAR SALE RESTRICTION FOR A FAMILY TRANSFER LOT

WHEREAS, in June of 1998, the applicants Roland and Roxanne Owens were the recipients of a family transfer parcel; and

WHEREAS, Section 2-39.3(A)(3) of the Subdivision Ordinance does not permit such a lot to be voluntarily transferred to a non-immediate family member for at least ten (10) years; and

WHEREAS, the applicants would like to relocate due to job location; and

WHEREAS, Section 2-39(14) of the Subdivision Ordinance allows the Board of Supervisors to reduce the ten (10) year restriction on selling a family transfer parcel to a non-immediate family member if it finds an extraordinary hardship is caused by the ten (10) year restriction; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 2006, That the requirement that Roland and Roxanne Owens hold their family transfer parcel for a period of ten (10) years be, and is hereby, reduced so that the parcel may be transferred to a non-immediate family member.

A RESOLUTION TO AUTHORIZE THE ASSIGNMENT OF THE LEASE FOR T-HANGER #4 AT THE WARRENTON-FAUQUIER AIRPORT FROM ESSAR CORPORATION LLC TO ESSAR PROPERTY MANAGEMENT LLC

Mr. Graham moved to adopt the following resolution. Mr. Atherton seconded and, following discussion, the vote for the motion was unanimous, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO AUTHORIZE THE ASSIGNMENT OF THE LEASE FOR T-HANGER #4 AT THE WARRENTON-FAUQUIER AIRPORT FROM ESSAR CORPORATION LLC TO ESSAR PROPERTY MANAGEMENT LLC

WHEREAS, Fauquier County has received a request from Essar Corporation LLC to assign the lease for the pad site of T-Hanger #4 at the Warrenton-Fauquier Airport to Essar Property Management LLC; and

WHEREAS, the request is consistent with the lease conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 2006, That the County Administrator be, and is hereby, authorized to execute an assignment of the lease subject to the review and approval of the County Attorney.

SUPERVISORS' TIME

- Mr. Robison expressed his condolences to the surviving family of Dr. Marshall Bailey.
- Mr. Downey stated he was saddened by Dr. Bailey's passing. Mr. Downey formally requested Board members to meet individually with their counterparts on the School Board prior to the joint work session scheduled on February 8, 2006.
- Mr. Stribling stated it has been a difficult season for losses within the community. Mr. Stribling said the Board needs to open a serious dialogue with School Board members, and urged citizens to encourage their representatives on the School Board to work with a basic building design for schools that are more affordable.
- Mr. Atherton announced that a memorial service for Dr. Marshall Bailey is scheduled for February 3, 2006 at Leeds Episcopal Church.
- Mr. Graham stated he is working with the Commissioner of the Revenue to develop a sliding scale that will help reduce the tax rate for citizens on fixed incomes, especially elderly or indigent individuals.

ANNOUNCEMENTS

- Mr. McCulla announced the Board of Supervisors will hold a joint work session with the Fauquier County School Board on February 8, 2006 at 6:00 p.m. in the School Board's 4th floor conference room, located at 320 Hospital Drive in Warrenton, Virginia. Topics of discussion will include: third high school costs, potential of expanding third high school student enrollment, and modular classrooms.
- Mr. McCulla announced that members of the Board of Supervisors will attend the annual Legislative Day, which is co-sponsored by the Virginia Association of Counties and Virginia Municipal League, on February 9, 2006, at 12:00 noon, at the Richmond Marriott located at 500 East Broad Street in Richmond, Virginia.
- Mr. McCulla announced that the next regular meeting of the Board of Supervisors will be on March 9, 2006, at 6:30 p.m. in the Warren Green meeting room, located at 10 Hotel Street, Warrenton, Virginia.
- Mr. McCulla announced that the Board of Supervisors will begin its deliberations on the FY 2007 proposed budget and tax rate pursuant to the following schedule:

FY 2007 Budget Calendar

Board Budget Work Session

Warren Green Building 1st Floor Meeting Room
10 Hotel Street • Warrenton, VA 20186
March 9, 2006 • 11:00 a.m.

Board Budget Work Session

Warren Green Building 1st Floor Meeting Room
10 Hotel Street • Warrenton, VA 20186
March 14, 2006 • 3:00 p.m.

Board Budget Joint Work Session with School Board

Warren Green Building 1st Floor Meeting Room
10 Hotel Street • Warrenton, VA 20186
March 16, 2006 • 3:00 p.m.

Board Budget Work Session

Warren Green Building 1st Floor Conference Room
10 Hotel Street • Warrenton, VA 20186
March 21, 2006 • 3:00 p.m.

Public Hearing on the FY 2007 Proposed Budget and Tax Rate

Warrenton Middle School
244 Waterloo Street • Warrenton, VA 20186
March 21, 2006 • 7:00 p.m.

Board Budget Work Session

Warren Green Building 1st Floor Meeting Room
10 Hotel Street • Warrenton, VA 20186
March 23, 2006 • 3:00 p.m.

Board Budget Work Session

Warren Green Building 1st Floor Meeting Room
10 Hotel Street • Warrenton, VA 20186
March 30, 2006 • 3:00 p.m.

FY 2007 Budget, Capital Improvement Plan and Tax Rate Adopted

Warren Green Building 1st Floor Meeting Room
10 Hotel Street • Warrenton, VA 20186
March 30, 2006 • 5:00 p.m.

A RESOLUTION TO AMEND THE FY 2006 ADOPTED BUDGET IN THE AMOUNT OF \$572,377

A public hearing was held to consider various budget related issues in the amount of \$1,270,425 in appropriations, \$53,706 in transfers, and \$751,754 in de-appropriation for FY 2006. Brian Tippie, Budget Director, summarized the proposed amendments. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Robison seconded and the vote for the motion was unanimous, as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. Richard W. Robison; Mr. William G. Downey; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

**A RESOLUTION TO AMEND THE FY 2006 ADOPTED BUDGET
IN THE AMOUNT OF \$572,377**

WHEREAS, the Fauquier County Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 31, 2005, the Board of Supervisors adopted the Fauquier County FY 2006 Budget; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, at its January meeting the Finance Committee has recommended FY 2006 budget adjustments of \$572,377 for the purposes set forth below; and

WHEREAS, on February 2, 2006, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 2nd day of February 2006, That the FY 2006 Budget be, and is hereby, amended in the amount of \$572,377 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
<u>FY 2006</u>					
State Funds	3-205-242000-0053	\$6,527	School Division	4-205-61100-3160- 200-120	\$6,527
Federal Funds	3-205-332000-0002	\$80,402	School Division	4-205-61101-1120- 208-100	\$57,447
				4-205-61101-2100- 208-100	\$4,395
				4-205-61101-2210- 208-100	\$6,675

				4-205-61101-2212-208-100	\$316
				4-205-61101-2720-208-100	\$4,125
				4-205-61101-6013-200-100	\$7,444
State Funds	3-205-242000-0098	\$10,000	School Division	4-205-61110-1302-200-100	\$1,919
				4-205-61110-2100-200-100	\$160
				4-205-61110-2720-200-100	\$6
				4-205-61110-3160-200-100	\$6,880
				4-205-61110-6001-200-100	\$1,035
Insurance Reimbursement	3-100-411000-0010	\$6,076	Sheriff's Office	4-100-031200-3311	\$6,076
Insurance Reimbursement	3-100-411000-0010	\$2,203	Sheriff's Office	4-100-031200-3311	\$2,203
Insurance Reimbursement	3-100-411000-0010	\$5,657	Sheriff's Office	4-100-031200-3311	\$5,657
State Funds	3-270-244100-0085	\$9,756	Fire & Rescue Association	4-270-032250-6047	\$9,756
Donation	3-240-189300-0050	\$50,000	Conservation Easement Service District (PDR)	4-240-081800-6099	\$50,000
Environmental Services Enterprise Sale of Equipment	3-513-189908-0009	\$46,000	Environmental Services Enterprise	4-513-042720-8207	\$46,000
Contingency Reserve	4-100-091400-9999	\$375,000	Capital Fund Jail/Courthouse	4-302-94320-8215	\$90,000
				4-302-94415-8215	\$285,000
Fund Balance	3-302-419000-0010	\$623,076	Proffer Fund	4-280-66610-8710	\$655,554
	3-100-419000-0010	\$55,728		4-280-41210-8701	\$23,250
Capital Fund (Transfer)	4-302-12110-8309	\$116	Capital Fund	4-302-91400-0100	\$2,614
	4-302-12511-8105	\$2,498	Construction Reserve		
Contingency Reserve (Transfer)	4-100-091400-9999	\$51,092	Parks & Recreation	4-100-071140-1101	\$12,554
				4-100-071140-1302	\$356
				4-100-071140-2100	\$988
				4-100-071140-2210	\$1,381
				4-100-071140-2310	\$1,570
				4-100-071140-2400	\$143
				4-100-071140-5540	\$600
				4-100-071140-3160	\$2,000
				4-100-071140-3160	\$1,500
				4-100-071140-8200	\$30,000
Capital Fund De-Appropriation	4-302-06610-8710	(\$751,754)	School Division		(\$751,754)
TOTAL		\$572,377			\$572,377

With no further business, the meeting was adjourned at 7:04 PM, to reconvene on February 8, 2006.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on February 2, 2006.

*Paul S. McCulla
Clerk to the Board of Supervisors*